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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 09/662,451 Confirmation No. 9125
Applicant : Raanan Liebermann
Filed : September 14, 2000
TC/A.U. : 1762
Examiner : Alain L. Bashore

Docket No. : 99-352
Customer No. : 34704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

REPLY BRIEF

Sir:

This is in reply to the Examiner's Answer mailed May 30, 2006, setting a two month period for response which expires on Sunday, July 30, 2006.

Remarks/Arguments begin on page 2 of this paper.

REMARKS/ARGUMENTS

The Examiner on page 4 of the Examiner's Answer misrepresents the teachings of the Hoffman et al. patent. The Examiner states on page 4, line 7, that Hoffman et al. teaches telephone selection and cites column 18, lines 14 - 25 in support thereof. A review of this section shows that Hoffman et al. merely states that a financial account owner must sign an agreement at the time of registration authorizing release of funds. The patent goes on to say that "confirmation of identity is still required to validate the signature, either through a telephone contact or an in-person examination of the registrant's identity document." This section does not say anything about any telephone selection of an account ID.

With regard to the Examiner's statements regarding the Hoffman et al. PIN number on page 4, line 8, it should be noted that the PIN proposed by Hoffman et al. is an unrelated, uncorrelated and arbitrary sequence of digits. In contrast, the present invention proposes a smart PIN where all the numbers are not chosen randomly and carry meanings according to their numerical value and position in said sequence.

Zingher, as discussed in Appellant's brief, does not use a PIN number or a modified PIN number to signal a bank

or law enforcement authorities by using a personal distress number or PDN. The PDN can be a randomly assigned number or an altered PIN number. What Zingher et al. teaches is something other than what is claimed by Appellant. At no point does either Zingher et al. nor Hoffman et al. teach the step of selecting at least two digits for a security segment to be incorporated into the PIN number. Nowhere in the Examiner's Answer does the Examiner address this point. On page 8, lines 7 - 9, the Examiner states that the references to PIN further include references to various descriptions of number sequences such that there is encompassed particular sequences or segments as claimed by Appellant. In making this statement though, the Examiner does not point to any portion of either Hoffman et al. or Zingher et al. upon which he is relying to specifically teach the claimed subject matter. It is submitted that vague references to PIN numbers which may be present in the cited and applied references do not teach or suggest the aforementioned limitation of incorporating a security sequence into the PIN number. For these reasons, and the reasons set forth in Appellant's Brief, claims 1 and 42 are allowable over the cited and applied references.

As for claim 42, the Examiner fails to specifically point out where the claimed center which performs e-mail

transactions and voice messaging transactions as well as financial transactions can be found in either reference. The only thing the Examiner can say is that Hoffman et al. discloses use of various means for messages such that the disclosure to Hoffman et al. encompasses such citing column 9, lines 38 - 45. It is submitted that this portion of Hoffman et al. does not teach or suggest the claimed center. For this reason, the claim 42 is further allowable.

With regard to page 8, lines 14 - 15 of the Examiner's Answer, the statement that Hoffman et al. and Rogers et al. are within the scope of the art makes no sense and should be ignored. The issue is whether the references teach or suggest the claimed subject matter. In Appellant's opinion, they do not.

With regard to independent claim 122, it is noted that the Examiner does not respond to Appellant's argument that because something exists in the prior art does not make a claim limitation or limitations obvious. As noted in Appellant's Brief, there is no reason why one of ordinary skill in the art would be motivated to incorporate the features of Rogers et al. into Hoffman et al. Hoffman et al. is solely directed to the performance of financial transactions, while Rogers et al, is directed to telephone

switching systems in general and a call management system in particular. There is nothing in any reference which would teach or suggest incorporating any of the Rogers features in Hoffman et al. would somehow provide a benefit. It is submitted that the Examiner is merely trying to create Appellant's claimed invention out of piecemeal teachings in the prior art using the blueprint provided by Appellant. In other words, the rejection is nothing more than a hindsight rejection.

With regard to claims 2 - 7, 9 - 17, 35, 36, 43 - 45 and 61, the Examiner does not in the Examiner's Answer point out where each of the claimed features can be specifically found in the cited and applied references. Consequently, these claims are allowable for the reasons set forth in Appellant's Brief.

With regard to claim 21 and 22, these claims are allowable for the same reasons as well as on their own accord. Nowhere on page 6 of the Examiner's Answer does the Examiner point out where the subject matter of these claims can be found in the cited and applied references. In fact, claim 22 is not even mentioned in the rejection set forth on page 6. It should also be noted that the Examiner has not identified where all the states of claims 18 - 20, 23, and 24 can be found in any of the references.

It is submitted that these claims are allowable for the reasons set forth in Appellant's Brief.

With regard to the patentability of claims 25 - 34, 37 - 41, 46 - 60, and 62 - 64, nowhere in page 7 of the Examiner's Answer does the Examiner point where in any of the references the specific limitations of these claims can be found. Instead the Examiner makes several broad brush statements about the teachings of the references and declares the claimed subject matter of more than 30 claims to be obvious. It is submitted that the examiner has failed to make a *prima facie* case of obviousness. It is further submitted that these claims are allowable for the specific reasons set forth in Appellant's brief.

CONCLUSION

For the foregoing reasons and the reasons contained in Appellant's Brief, the rejections of record should be reversed and the application should be remanded to the Primary Examiner for allowance and issuance.

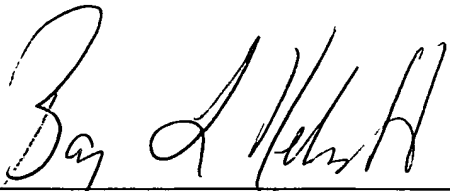
FEE

No fee is believed to be due as a result of this Reply Brief. Should the Director determine that a fee is due, he

Appln. SN 09/662,451
Reply. Br. Dated July 31, 2006
Reply to Office action of May 30, 2006

is hereby authorized to charge said fee to Deposit Account
No. 02-0184.

Respectfully submitted,

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Date: July 31, 2006

I, Rachel Piscitelli, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on July 31, 2006.

